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June 19, 2008

Via Facsimile (212) 805-6712

Hon. Victor Marrero
United States Courthouse
500 Pearl Street, Suite 660
New York, NY 10007

Re: Thomas Burke v. City of New York et al
07 CV 6510 (VM)

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DATE FILED: *6-20-08*

Your Honor:

I am the attorney for the plaintiff Thomas Burke in this action. After consultation with counsel for the defendants, Barry Myrvold, Esq., we jointly request an adjournment of the conference now scheduled for June 20, 2008 to a date convenient for the Court in mid September.

At this time the parties are in the process of serving and responding to amended complaints, etc. As such we do not believe that a settlement conference would be productive at this juncture. I would also note that Judge Fox has scheduled a conference in this action for 12 p.m. on October 8, 2008.

Accordingly, the within parties respectfully request that the Court adjourn this matter to a convenient date on or about the middle of September 2008.

Respectfully submitted,

Scott G. Cerbin

Cc: Barry Myrvold, Esq.

Request GRANTED. The <u>next status</u> conference herein is rescheduled to <u>a date to be set following the completion of fact discovery as determined so ORDERED</u> . by Magistrate Judge <u>Fox</u> .
6-20-08
DATE
VICTOR MARRERO, U.S.D.J.